

## MEETING #5 – February 14

At a Regular Meeting of the Madison County Board of Supervisors on February 14, 2017 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman  
Robert W. Campbell, Member  
Charlotte Hoffman, Member  
Kevin McGhee, Member  
V. R. Shackelford, III, County Attorney  
Daniel J. Campbell, County Administrator  
Mary Jane Costello, Finance Director/Asst. County Administrator  
Jacqueline S. Frye, Deputy Clerk

ABSENT: Jonathon Weakley, Member

### Agenda Items:

#### Call to Order

#### *Pledge of Allegiance & Moment of Silence*

#### 1. Determine Presence of a Quorum/Adopt Agenda:

Chairman Jackson noted advised that:

*Supervisor Weakley is absent (due to family illness).*

Chairman Jackson called for additions/corrections to today's Agenda.

Supervisor Campbell moved the Board adopt today's Agenda as presented, seconded by Supervisor McGhee. *Ayes: Jackson, Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

#### 2. Public Comment:

Chairman Jackson opened the floor for public comment.

The following citizen(s) provided public comment:

- *Margaret Clifton: Comments pertained to a recycling concern that occurred earlier this week at the transfer station*

The County Administrator advised that he will research the matter and provide input.

With no further comments being provided, Chairman Jackson closed the public comment session.

#### 3. Constitutional Officers: None.

#### 4. County Departments:

**Madison County School Board:** Bob Chappell, SBO, was present and advised the public of the School Board's public hearing scheduled for tomorrow at the high school auditorium.

#### 5. Committee/Organization Reports

**a. VDOT – Joel DeNunzio, Residency Administrator:** Joel DeNunzio, Residency Administrator, was present to provide highlights from VDOT's monthly activities as follows:

##### **Projects:**

- ✓ Shifflett's' Corner Lane: Rural rustic road project is complete.
- ✓ Route 697 (Booton's Lane) & Route 675 (Fletcher's Road): Both projects have an advertisement date of January 2021; because of funding, he'd like to start these project as early as July 2017, contingent upon approval by the Madison County Board of Supervisors; discussions will be held with the County Administrator to initiate a resolution for these Rural Rustic Road projects. If funding allocations remain the same for the upcoming year, he'd like to move forward with improvements to Forrest Drive, contingent upon approval by the Madison County Board of Supervisors. Surface treatment to the aforementioned roads will be initiated if the Board is in agreement with this proposal.
- ✓ Route 29 – J-turn at Shelby Road: A feasibility report has been received from VDOT's consultant, which is currently being reviewed; once VDOT finalizes the report, the scope of work will be discussed with the County Administrator. This project is

noted as a highway safety project; proposal will be similar to the work performed along Route 29 at Mountain Run Lake Road located in Culpeper County.

#### Bridge Projects & Other:

- ✓ Route 230 Conway River Bridge Replacement: Project is set for completion by November 2017.
- ✓ Route 230 Rapidan River Bridge Repair: Construction is planning for the summer/fall of 2017; prospective contractor has been provided with two (2) options and is being encouraged to take extra precautions to maintain one-way traffic (similar to what will be undertaken at other bridge sites).
- ✓ Power Dam Road: Issues (verbalized by Supervisor Weakley during a previous meeting) are being reviewed; ditching work will be initiated; digging will also be initiated once the area dries out.
- ✓ Route 29 Business & Fairgrounds Road: Concerns (verbalized by Supervisor Weakley during a previous meeting) regarding traffic flow during peak hours; the overall traffic signal operation will be researched; a complaint was verbalized by a driver a few weeks ago (light changes very quickly – few vehicles able to pass through).

#### Comments from the Board:

- *Chairman Jackson: Noted that the area does have a lot of traffic; the traffic light (when traveling from the Town of Madison to Fairgrounds Road) only allows about 2.5 vehicles to pass through before the light changes to red – traffic signal time is way too short for the route; feels this is a safety issue as well; also noted citizen concerns about Desert Road (i.e. drainage issues) and that the area is washed out*
- *Supervisor Campbell: Noted that he has been made aware that a citizen has offered to fully fund roadway improvements on Tom Johnston Road, but the State would not agree to the proposal*
- *Supervisor Hoffman: Noted that the traffic signal at Route 29 S & Fishback Road isn't long enough (i.e. light changes from yellow to red in one direction within two (2) seconds, and from red to green in the direction for vehicles that make the turn)*

Mr. Denunzio advised that review will be initiated for Desert Road and other areas of concern.

**b. Neal Goodloe, MPA, Criminal Justice Planner:** Neal Goodloe, Criminal Justice Planner, was present and advised that information will be provided today on the Central Virginia Regional Jail; noted there were items to be assessed pertaining to individual contributions from each participating member to include:

- Number of individuals booked into the jail; and
- Financial responsibility

Documentation presented focused on:

- ✓ CVRJ Booking Study by Jurisdiction 2012-2015
- ✓ CVRG Inmate Population Report 2012-2015
- ✓ Four-Year CVRJ Inmate Population Study

Based on the ten (10) year study of criminal activity within the five (5) participating localities that utilize the facility, Madison County has the lowest violent crime rate, and also maintains the lowest crime rate in the Commonwealth.

It was further noted that based on the analysis, it appears that Madison County has paid more each year for incarceration of individuals (since 2009) of about \$1,000,000. An assessment is generally made to determine 'what is being received' for the financial assessment.

Additional portions of today's study focused on the regional jails':

- ✓ Booking volume
- ✓ Average length of stay
- ✓ Bed days expended

**Bookings:** Madison County's 'bookings are 'flat' and have remained steady over the past four (4) years [at the felony and misdemeanor level]. Although the County consumes about 6.1% of the booking volume at the regional jail, this ranks the County 3<sup>rd</sup> in 'per capita bookings', which is controlled by population size (across the participating jurisdictions). It was explained that since the County has so few bookings for felons, this factor causes the County to have more volatility; the County utilizes the jail mostly for misdemeanor bookings. It was suggested the County assess whether booking individuals charged with misdemeanor crimes is a favorable mechanism.

Questions from the Board:

- ✓ Whether there is a 'typical misdemeanor booking' method
- ✓ Whether is anything the County can do to reduce costs (and not pass the burden onto the taxpayers)

Mr. Goodloe advised that an individual can have 'multiple bookings' at any one time.

Additional highlights focused on:

✓ County's bookings per charge type (percentage)	
✓ Traffic Misdemeanor	24.6
✓ Violation of Court Order	22.7
✓ Property Felony	14.8
✓ Sex Offense	7.4
✓ Violent Felony	4.7
✓ Drug Felony	4.4
✓ Violent Misdemeanor	3.6
✓ Alcohol	3.3
✓ Property Misdemeanor	3.2
✓ Traffic Felony	2.3
✓ Weapon Offenses	1.7
✓ Drug Misdemeanor	1.5
✓ All Other	5.8

#### Additional highlights:

- ✓ The greatest percentage (for most localities [excluding Madison County]) is in the area of property felony cases
- ✓ Madison County has the greatest percentage of traffic misdemeanor cases [possibly due to Rt. 29 running through the locality]
- ✓ A follow up study will focus on the percentage of 'bed days' vs. 'what is being paid for'
- ✓ It's felt that 'bed days' for Madison County are attributed to repeated court order violations
- ✓ Areas that cost Madison County are due to circumstances beyond the County's control
- ✓ Regional Jail's federal prisoner population has plummeted
- ✓ Housing of federal prisoners (in the past) enabled the jail to build up a reserve
- ✓ Prior fund balance (built up at the jail) mitigated costs for the participating localities
- ✓ Feels the jail's bed utilization is about 75% below full capacity

Mr. Goodloe advised that mechanisms to reduce cost could be assessed, but will not be 'easy', and could include:

- Seeking 'partners'
- Closing a portion of the facility

And also feels the three (3) areas in which the County could assess to reduce 'bed day' allocations (based on the initial analysis) would involve:

- ✓ Felony probation violators
- ✓ Offenders with mental illness issues
- ✓ Number of people who are repeat offenders

It was also noted that incarceration of women is steadily increased, whereas incarceration of men is remaining steady, and that mental illness is not considered a criminal behavior (many with mental illness do not violate the law), although mental illness can be seen as a contributing factor for criminal behavior. In closing, he noted that many individuals (one out of every ten) advise that they've been treated for some form of mental illness, and generally serve about twenty percent (20%) of 'bed days.'

#### Comments from the Board:

- *Chairman Jackson: Noted that the locality is obligated to fund the regional jail; the County can elect to offset costs by seeking 'partners' to share the cost of 'bed days'; the county can seek to close a portion of the facility to cut costs; feels the options could be evaluated; questioned if the County has a high rate of recidivism (due to repeated probation violations) or whether the County is neglecting to do something that could reduce repeat probation violations*
- *Supervisor Campbell: Urged the citizens not to feel that costs pertaining to the regional jail and the County's involvement aren't advantageous; also verbalized concerns regarding mental health issues whether labels are being attached to make 'society feel good'*

Mr. Goodloe advised that:

- The County is obligated to fund the jail contracted upon the County's percentage of average daily population over the course of a year
- Based on analysis, it appears the same patterns are being presented (probation violations)
- Ways in which someone can violate probation involve: 1) a new conviction; 2) technical violation [failing drug test, etc.]; or 3) both
- County's rate displays a significant increase in the area of probation violations
- Questioned the cause of the significant increase over a such a short period of time
- When a crime is committed, an arrest is made
- What happens after an arrest is based on short-term and/or long-term public safety
- Greatest reduction in recidivism (for those already incarcerated) is to provide some type of treatment while they're incarcerated that will help them be less likely to recycle back into the criminal system

In closing, Mr. Goodloe advised that although the use of the regional jail is costing the locality, something good has been occurring for quite some time, based on today's analysis. Also, in his opinion, there are some dangerous people who need to be locked up for as long as can be allowed, and there are also some who are low risk and should only be incarcerated for as long as viably feasible.

The County Administrator asked if there was any programs at the regional jail or in the region to help reduce recidivism.

Mr. Goodloe advised that the jail recently funded an expansion. It's his understanding that during negotiations, it was advised that a significant portion of the new space would be allotted for educational and treatment programs; however, no funding allocation was noted in the jail's recent budget for the aforementioned programs.

#### **Comments from the Board:**

- *Supervisor McGhee: Suggested the County assess the statistics provided (by Mr. Goodloe)*
- *Supervisor Hoffman: Questioned if incarceration of individuals with mental illness is the result of a closure of many state hospital facilities*

Mr. Goodloe noted that a key piece of treatment that have worked in jails include:

- ✓ Substance abuse (AA & NA is a self-help group and not a form of formal treatment)
- ✓ Cognitive and behavioral programs (effective if implemented well)
- ✓ Job readiness programs

The County Attorney questioned:

- ✓ If there is an active home incarceration program at the regional jail; and advised that
- ✓ Supervision falls on the local Sheriff's
- ✓ Suggested the regional jails be required to assume the aforementioned responsibility (which would relieve the local Sheriff's)
- ✓ Noted that the Culpeper County jail requires inmates enrolled in the home incarceration program to pay weekly (\$133.00)
- ✓ Advised favor of supporting the home incarceration program
- ✓ Home Incarceration program allows inmates to work and remain with their families
- ✓ Verbalized support of the program for non-violent felony cases

Mr. Goodloe advised that there has been some discussion about growing the home incarceration program. There have also been some differences as to 'who' would provide supervision and be responsible for writing a warrant to return those individuals into custody. He also feels that the home incarceration program would possibly reduce costs (in comparison to the other localities), but the program will not solve the basic issue at hand (i.e. under-utilization of the jail = increased costs to the participating localities). Additionally, the closure of mental health hospitals does have an effect on how inmates with mental health concerns are handled today. In closing, he advised that local CSB's weren't fully equipped to provide the level of care to allow service recipients the appropriate therapeutic care, and feels there are significant 'service gaps' in the area of 'jail to service' and/or from 'probation to service.'

In closing, the Board asked that today's documents be emailed to all members and the County Administrator; additional demographics will also be submitted for review and advisement.

Additional demographics will also be submitted for review and advisement.

## **6. Finance – Mary Jane Costello**

### **a. Claims for February 2017**

\$140,322.72 (2'10'17)  
 \$ 3,009.22 (EFT for 2'10'17)  
\$ 55,453.66 (2'14'17)  
 \$198,785.60 (Total)

Highlights:

- ✓ *Claim for Advanced Network Services, Inc. (radio network)*
- ✓ *Library Payments (January/February totaling \$20,000.00)*
- ✓ *KoFile Tech (funded through a grant for the Clerk of the Circuit Court) [i.e. redo a plat book]*

#### **Questions from the Board:**

- *Claim for Graves' Mountain Lodge (for Fireworks)*

The Finance Director advised of an oversight stemming from an invoice from 2016 for the purchase of fireworks that was paid twice (by Graves' Mountain Lodge, Inc. and the County); the vendor reimbursed the County for its payment and now the County will reimburse Graves' Mountain Lodge, Inc., for their payment to the vendor.

The County Administrator advised that the process for pyrotechnics has changed (i.e. County to be invoiced instead of Graves' Mountain Lodge, Inc.), but it appears the new procedures weren't fully communicated to Graves' Mountain Lodge, Inc.

Supervisor McGhee moved the Board approve claims for February 2017 in the amount of \$198,785.60, as presented, seconded by Supervisor Campbell. *Ayes: Jackson, Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

#### **b. Supplemental Appropriation Request – Circuit Court Clerk**

The Finance Director noted that today's supplemental appropriation stems from FY2016 grant funding offered by the Library of Virginia to circuit courts for the purpose of redoing plat books; funding has already been received for this request.

Supervisor Campbell moved the Board approve the supplemental appropriation request totaling \$14,718.00 as presented, seconded by Supervisor McGhee. *Ayes: Jackson, Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

### **7. Minutes:**

a. 2017: #4

Chairman Jackson called for any corrections or amendments to Minutes #4.

Supervisor Campbell moved the Board approve Minutes #4 as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Hoffman. Absent: Campbell, McGhee. Absent: Weakley. Nays: (0).*

### **8. New Business**

**a. Madison County Fair Board – Waiver of Transfer Station Fees:** Chairman Jackson advised that the Board has approved these types of requests presented by the Madison County Fair Board for many years.

The County Administrator advised that the Madison County Fair Board always does a great job with the fair event; tonight's request seems reasonable.

Supervisor Campbell moved the Board approve the request to waive transfer station fees for the 2017 County Fair (as submitted by the Madison County Fair Board), seconded by Supervisor Hoffman. *Ayes: Jackson, Campbell, McGhee, Hoffman. Absent: Weakley. Nays: (0).*

### **9. Old Business:**

**a. Zoning Request – MC Parks & Recreation Authority (Driving Range):** The County Administrator advised that at the last meeting, Jerry Carpenter, MC Parks & Recreation Authority, presented a request from the MC Parks & Recreation Authority to build a driving range on the 18.9 acres of land at Hoover Ridge. He questioned if the entire property had been modified at an earlier date, but it has not. In order for the MC Parks & Recreation Authority to proceed, a special use permit application will need to be submitted (by the Madison County Board of Supervisor as the 'property owner'), similar to the procedures undertaken (for the Sheriff's Office) for the shooting range. In closing, he advised that the special use permit will be for a driving range/golf facilities, which is allowed under the "Conservation Section" of the County's existing Zoning Ordinance. After discussion today's information with Mr. Carpenter, it was advised that the MC Parks & Recreation Authority would like to envision a 'part-three' golf facility at a later date.

Comments from the Board:

- *Whether the County could incorporate verbiage (for the MC Parks & Recreation Authority) to eliminate the need for a special use permit for any future requests (i.e. install a water fountain, build a tennis court)*
- *Whether to amend the existing Zoning Ordinance*
- *Whether the County can initiate an 'umbrella' special use permit*

The County Attorney advised that the County would have to develop a different zoning category in order to accommodate the request (proposed by the MC Parks & Recreation Authority). Additional comments included:

- ✓ The county has simple zoning categories
- ✓ Today's request is similar to what's transpiring in Orange County (with the Montpelier property)
- ✓ The proposal (by the MC Parks & Recreation Authority) will call for an amendment to the existing Zoning Ordinance, and the creation of a new zoning category (fairly extensive/complicated matter)
- ✓ Portions of Hoover Ridge are managed by the MC Parks & Recreation Authority and certain portions are still managed by Madison County
- ✓ The portion of property being sought to house the driving range/golf facility is a portion that's managed by Madison County, and is under lease (to Hunter Weaver)
- ✓ The County will also need to adjust the MOU (between the County and MCPRA)
- ✓ The driving range seems to be a viable use for the property

- ✓ There are other areas in the County zoned agriculture that would not be considered appropriate for the use being presented by the MC Parks & Recreation Authority

Additionally, he noted that most of the County is zoned Agriculture, and noted that if the County elected to allow a driving range as a 'by right' use, this type of use could be allowed in about 95% of the locality. In closing, he noted that the County could elect to combine uses and will need to review the existing Zoning Ordinance.

The County Administrator advised that Mr. Carpenter of the MC Parks & Recreation Authority is well aware of the process that will need to be undertaken; he also questioned their vision for the rest of the property and suggested the County assess any future ideas (for the property).

After discussion, Chairman Jackson and Supervisor McGhee will meet with members of the MC Parks & Recreation Authority to gain input on ideas for future goals.

#### **10. Public Comment:**

Chairman Jackson opened the floor for public comment. The following citizen(s) provided comments:

- ✓ *Joe May: Comments pertained to structure of programs (provided by Neal Goodloe); feels demographics plays a major part in the crime rate (especially in the population aged 30 years and below); also verbalized concerns over mental health issues, children in need of foster care; questioned administrative costs (i.e. available programs to those less fortunate tend to overlap), costs for soil/water conservation measures, and costs for the local library. – feels that available programs to help those less fortunate tend to overlap, costs for soil/water conservation, the local library.*
- ✓ *Nick McDowell: Comments pertained to regional jail analysis data (provided from Neal Goodloe); suggested that clientele in the regional jail be assessed to determine age gender and the greatest 'at risk' population in the locality.*

#### **Comments from the Board:**

- *Supervisor Campbell: Urged the community to be involved in local government; noted there are several programs in place (i.e. DSS, school system, etc.); urged the citizens to support local business, local government, DSS, and the school system; advised that revenue received during the past few years from sales tax has been substantial*
- ✓ *Bob Chappell (Madison County School Board): Comments focused on the school system's goal to prevent problems in the schools; provided highlights regarding Chrysalis Counseling Center's program to provide intensive counseling services to school students; feels the program will be an asset for the locality, and hopes the program will keep some young individuals from entering the regional jail system*
- ✓ *Robert Legge: Comments focused on the fact that prevention is cheaper than responding to problems; offered highlights from RRCSB recent meeting (i.e. transportation options [RRSC transit, private transport, etc.), recent board certified additional specialist hired in Culpeper Clinic (hours 8:30 a.m. to 11:00 p.m. – M-F; 12:00 a.m. to 12:00 p.m. Weekends)*

With no further comments being brought forth, Chairman Jackson closed the public comment session.

#### **11. Closed Session (if necessary) - None**

#### **12. Information/Correspondence**

##### **Budget Work Session:**

Chairman Jackson advised that the next budget work session will be scheduled for later this week (Thursday, February 16<sup>th</sup>).

##### **Madison County School Board:**

Chairman Jackson advised of the public hearing on the school's budget scheduled for tomorrow evening.

#### **13. Adjournment:**

With no further action being required, on motion of Supervisor Campbell, seconded by Supervisor Hoffman, Chairman Jackson adjourned tonight's meeting. *Ayes: Jackson, Hoffman, ██████████ Campbell, McGhee. Absent: Weakley. Nays: (0).*

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R. Clay Jackson, Chairman  
Madison County Board of Supervisors

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Clerk of the Board of the Madison County Board of Supervisors

Adopted on: February 28, 2017

Copies: R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee, Charlotte Hoffman, V. R. Shackelford, III,  
Constitutional Officers

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6:00 p.m.  
Call to Order

**Agenda**  
**Regular Meeting**  
**Madison County Board of Supervisors**  
**Tuesday, February 14, 2017 at 4:00 p.m.**  
**County Administration Building, Auditorium**  
**414 N. Main Street, Madison, Virginia 22727**



**Pledge of Allegiance & Moment of Silence**

1. Determine Presence of a Quorum / Adopt agenda

2. *Public Comment*

3. Constitutional Officers

4. County Departments

a. *VDOT – Joel DeNunzio, Residency Administrator (Traffic Light @ Fairgrounds Road & Business Rt. 29 Intersection)*

5. Committee/Organizations

a. *MC Parks & Recreation Festival Permit – Jerry Carpenter*

6. Finance – Mary Jane Costello

a. *Claims for February 2017*

b. *Supplemental Appropriation Request – Circuit Court Clerk*

7. Minutes:

a. #4

8. New Business

a. *Madison County Fair Board – Waiver of Transfer Station Fees*

9. Old Business

a. *Zoning Request – MC Parks & Recreation Authority (Driving Range)*

10. Public Comment

11. Closed Session (if needed)

12. Information/Correspondence (if any)

13. Adjournment